

Application Serial No.: 10/799,460
Attorney Docket No.: 0160115

REMARKS

This is in response to the *Non-Final* Office Action of August 23, 2006, where the Examiner has rejected claims 1, 2, 5-6 and 13-16, and has allowed claims 7, 8 and 11-12. Applicant acknowledges and appreciates the Examiner's statement regarding allowance of claims 7, 8 and 11-12. By the present Amendment and Response, applicant has amended claims 1 and 13, and added new claims 17-19. After the present Amendment and Response, claims 1-2, 5-8 and 11-19 are pending in the present application. Reconsideration and allowance of outstanding claims 1, 2, 5-6 and 13-19 in view of the following remarks are requested.

A. Rejection of Claims 1, 2, 5-6 and 13-16 under 35 USC §101

The Examiner has rejected claims 1, 2, 5-6 and 13-16, under 35 USC §101, as being directed to non-statutory subject matter.

By the present amendment, applicant has amended independent claim 1 to recite "A method of using a microprocessor for improving pitch determination" Further, applicant has amended independent claim 13 to recite "A speech coding device including a microprocessor for improving pitch determination." Therefore, applicant respectfully submits that independent claims 1 and 13, as amended, are now directed to a statutory subject matter, under 35 USC §101.

Accordingly, it is respectfully submitted that independent claims 1 and 13, as amended, and their respective dependent claims 2, 5-6 and 13-16, should now be found to be in condition for allowance.

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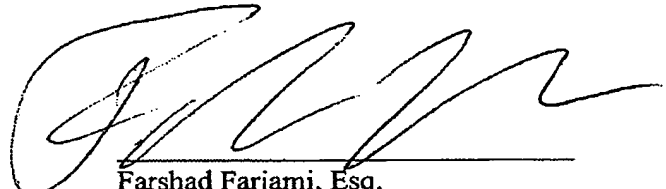
B. New Claims 17-19

By the present amendment, applicant has added new dependent claims 17, 18 and 19, which depend from independent claims 1, 7 and 13, respectively. Applicant respectfully submits that claims 17, 18 and 19 should be allowed at least for the same reasons stated above.

C. Conclusion

Based on the foregoing reasons, an early Notice of Allowance directed to all claims 1-2, 5-8 and 11-19 pending in the present application is respectfully requested.

Respectfully Submitted,
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